

DOCKET NO. 8971-032-27

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: David WHITTEN et al.

ART UNIT: 1645

SERIAL NO.: 10/621,311

EXAMINER:

FILING DATE: July 18, 2003

FOR: ASSAYS FOR PROTEASE ENZYME ACTIVITY

FILING OF DECLARATION UNDER 37 C.F.R. 1.53(f)

ASSISTANT COMMISSIONER FOR PATENTS

PO BOX 1450

ALEXANDRIA, VA 22313-1450

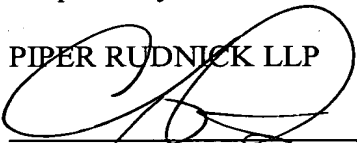
SIR:

Responsive to the notification dated January 21, 2004, and in accordance with the provisions of 37 C.F.R. 1.53(f), Applicants submit herewith a Rule 63 Declaration. The required fee was paid at the time of filing the application.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Respectfully submitted,

PIPER RUDNICK LLP


Steven B. Kelber
Registration No. 30,073
Attorney of Record

1200 Nineteenth Street, N.W.
Washington, D.C. 20036-2412
Telephone No. (202) 861-3900
Facsimile No. (202) 223-2085

Christopher W. Raimund
Registration No. 47,258

Docket No.: 8971-032-27



Declaration, Power of Attorney and Petition

WE (I) the undersigned inventor(s), hereby declare(s) that:

My residence, post office address and citizenship are as stated below next to my name.

We (I) believe that we are (I am) the original, first, and joint (sole) inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled

ASSAYS FOR PROTEASE ENZYME ACTIVITY

the specification of which

☐ is attached hereto.

☒ was filed on July 18, 2003

as Application Serial No. 10/621,311

and amended on _____

☐ was filed as PCT international application

Number _____

on _____

and was amended under PCT Article 19

on _____ (if applicable).

We (I) hereby state that we (I) have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We (I) acknowledge the duty to disclose information known to be material to the patentability of this application as defined in Section 1.56 of Title 37 Code of Federal Regulations.

We (I) hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed. Prior Foreign Application(s)

Application No.	Country	Day/Month/Year	Priority Claimed	
_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No

We (I) hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

(Application Number)

(Filing Date)

(Application Number)

(Filing Date)

We (I) hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Serial No.	Filing Date	Status (pending, patented, abandoned)
_____	_____	_____
_____	_____	_____
_____	_____	_____

And we (I) hereby appoint Steven B. Kelber, Reg. No. 30,073; Jerold I. Schneider, Reg. No. 24,765; James M. Heintz, Reg. No. 41,828; Perry E. Van Over, Reg. No. 42,197; Raymond Millien, Reg. No. 43,806; Lisa K. Norton, Reg. No. 44,977; Patrick R. Delaney, Reg. No. 45,338; Michael Ye, Reg. No. 47,195; Christopher W. Raimund, Reg. No. 47,258; and Ping Wang, Reg. No. 48,328, as our (my) attorneys, with full powers of substitution and revocation, to prosecute this application and to transact all business in the Patent Office connected therewith; and we (I) hereby request that all correspondence regarding this application be sent to Supervisor, Patent Prosecution Services, Piper Rudnick LLP, 1200 Nineteenth Street, N.W., Washington, D.C. 20036-2412.

We (I) declare that all statements made herein of our (my) own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Sriram KUMARASWAMY


NAME OF FIRST INVENTOR

Residence: 20 Brilliant Sky Drive

Santa Fe, NM 87508

Citizen of: INDIA

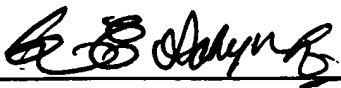
Post Office Address: Same As Above


Signature of Inventor

02/17/04
Date

Komandoor ACHYUTHAN

NAME OF SECOND JOINT INVENTOR



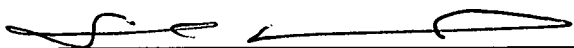
Signature of Inventor

2/17/2004

Date

Residence: 7 Luna DriveSanta Fe, NM 87508Citizen of: United StatesPost Office Address: Same As AboveXiaobo SHI

NAME OF THIRD JOINT INVENTOR



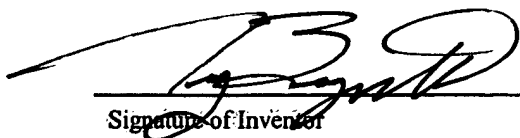
Signature of Inventor

2/18/2004

Date

Residence: 979 TsankawiLos Alamos, NM 87544Citizen of: United StatesPost Office Address: Same As AboveTroy BERGSTEDT

NAME OF FOURTH JOINT INVENTOR



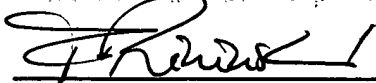
Signature of Inventor

2/17/04

Date

Residence: 6436 VooscaneCochiti, NM 87083Citizen of: United StatesPost Office Address: Same As AboveFrauke RININSLAND

NAME OF FIETH JOINT INVENTOR



Signature of Inventor

2/17/04

Date

Residence: 2556 Camino San PatricioSanta Fe, NM 87505Citizen of: GERMANYPost Office Address: Same As Above

Duncan McBRANCH

NAME OF SIXTH JOINT INVENTOR



Signature of Inventor

2-17-04

Date

Residence: 757 Calle Espejo

Santa Fe, NM 87505

Citizen of: United States

Post Office Address: Same As Above

David WHITTEN

NAME OF SEVENTH JOINT INVENTOR



Signature of Inventor

2-16-04

Date

Residence: 5435 La Colonia Drive, NW

Albuquerque, NM 87120

Citizen of: United States

Post Office Address: Same As Above

NAME OF EIGHTH JOINT INVENTOR

Signature of Inventor

Date

Residence:

Citizen of:

Post Office Address:

NAME OF NINTH JOINT INVENTOR

Signature of Inventor

Date

Residence:

Citizen of:

Post Office Address: